UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS

TO: (A) MARLENE J. JOHNSTON

as (B) of (C)

A lawsuit has been commenced against you (or the entity on whose behalf you are addressed). A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the Northern District of Illinois and has been assigned docket number (D) 08 C 2999

This is not a formal summons or notification from the court, but rather my request that you sign and return the enclosed waiver of service in order to save the cost of serving you with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if I receive a signed copy of the waiver within (E) 30 days after the date designated below as the date on which this Notice and Request is sent. I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the waiver is also attached for your records.

If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be obligated to answer the complaint before 60 days from the date designated below as the date on which this notice is sent (or before 90 days from that date if your address is not in any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure and will then, to the extent authorized by those Rules, ask the court to require you (or the party on whose behalf you are addressed) to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth at the foot of the waiver form.

I affirm that this request is being sent to you on behalf of the plaintiff, this 28th

May , 2008 (Month) (Year)

Signature of Plaintiff's Attorney or Unrepresented Plaintiff day of

A-Name of individual defendant (or name of officer or agent of corporate defendant)

B-Title, or other relationship of individual to corporate defendant

C-Name of corporate defendant, if any

D-Docket number of action

E-Addressee must be given at least 30 days (60 days if located in foreign country) in which to return waiver

AO 399 (Rev. 05/00)

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

Waiver of Service of Summons

TO:	Irene K. Dymkar					
	(NAME OF PLAINTIFF'S ATTO	RNEY OR UNREPRESENTED PLAINTIFI	7)			
Ι,	Marlene J. Johnston	, acknowled	lge receipt of your request			
that I waive service of:	summons in the action of	Gray v. Johnsto	n, et al.			
		(CAPTION OF AC	TION)			
which is case number	08 C 299	9 in the Un	ited States District Court			
·	(DOCKET NUMB	ER)				
for the Northern Distric	t of Illinois.					
	ed a copy of the complaint in the signed waiver to you with	the action, two copies of this out cost to me.	s instrument, and a means			
	(or the entity on whose beha-	s and an additional copy of thalf I am acting) be served w				
		l retain all defenses or objections based on a defect in the su				
I understand that a	judgment may be entered a	gainst me (or the party on wh	ose behalf I am acting) if			
an answer or motion under Rule 12 is not served upon you within 60 days after 05/28/08 (DATE REQUEST WAS SENT)						
or within 90 days after	that date if the request was	sent outside the United States	S.			
05/28/08						
(DATE)		(SIGNATURE)				
Printed/T	yped Name:	Marlene J. Johnston	Marlene J. Johnston			
As	of					
(TITL		(CORPORATE DEF	FENDANT)			

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS

TO: (A) ROSALIND E. BOWIE

as (B) of (C)

A lawsuit has been commenced against you (or the entity on whose behalf you are addressed). A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the Northern District of Illinois and has been assigned docket number (D) 08 C 2999

This is not a formal summons or notification from the court, but rather my request that you sign and return the enclosed waiver of service in order to save the cost of serving you with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if I receive a signed copy of the waiver within (E) 30 days after the date designated below as the date on which this Notice and Request is sent. I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the waiver is also attached for your records.

If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be obligated to answer the complaint before 60 days from the date designated below as the date on which this notice is sent (or before 90 days from that date if your address is not in any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure and will then, to the extent authorized by those Rules, ask the court to require you (or the party on whose behalf you are addressed) to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth at the foot of the waiver form.

I affirm that this request is being sent to you on behalf of the plaintiff, this 28th day of

May , 2008 (Year)

Signature of Plaintiff's Attorney or Unrepresented Plaintiff

A-Name of individual defendant (or name of officer or agent of corporate defendant)

B-Title, or other relationship of individual to corporate defendant

C-Name of corporate defendant, if any

D-Docket number of action

E-Addressee must be given at least 30 days (60 days if located in foreign country) in which to return waiver

AO 399 (Rev. 05/00)

TO:

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

Waiver of Service of Summons

Irene K. Dymkar

	(NAME	OF PLAINTIFF'S ATTORNE	Y OR UNREPRESENTED PLAINTIFI	F)
Ι,		E. Bowie	, acknowled	lge receipt of your request
	(DEFE)	NDANT NAME)		
that I waive se	rvice of summons in	the action of	Gray v. Johnsto	n, et al.
			(CAPTION OF AC	CTION)
which is case	number	08 C 2999 (DOCKET NUMBER)	in the Un	ited States District Court
for the Norther	rn District of Illinois	.		
	so received a copy of n return the signed w			s instrument, and a means
	ng that I (or the entire			e complaint in this lawsuit ith judicial process in the
	venue of the court e			ons to the lawsuit or to the ammons or in the service
I understa	and that a judgment i	nay be entered again	st me (or the party on wh	ose behalf I am acting) if
an answer or r	notion under Rule 12	is not served upon	you within 60 days after	05/28/08 , (DATE REQUEST WAS SENT)
or within 90 d	ays after that date if	the request was sent	outside the United State	
05/2	28/08			
(D/	ATE)		(SIGNATURE)	
Printed/Typed Name: Rosalind E. Bow				
As		of		
	(TITLE)		(CORPORATE DE	FENDANT)

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.